DETAILED ACTION

1.   Claims 1-25 are pending in this application and presented for examination.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set forth

in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR

1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn

pursuant to 37 CFR 1.114. Applicant's submission filed on 11/30/09 has been entered.

Response to Arguments

3.   Applicant's arguments with respect to claims 1-25 have been considered, but are moot

in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art
> are such that the subject matter as a whole would have been obvious at the time the invention was made to a
> person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

5.   Claims 1, 5-9, 12, 16-20, and 25 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Wing et al. (Wing), U.S. Publication No. 2009/0138541 A1, in view of

Rune, U.S. Patent No. 6,304,913 B1.

6.   As to claim 1, Wing discloses an information processing system in which a plurality of

server modules ([0091]) and a storage module ([0095]), which comprises a storage device for

storing a service to be executed by said server modules ([0021], ln. 8-12; [0074]; [0112]) and a

controller for controlling said storage device ([0093]), are interconnected via a network

(Abstract, ln. 10-13; [0091]),

        wherein said storage module further comprises a system configuration information

retention database that stores system configuration information including information about

necessary configuration of each server module configured to initiate execution of said service

([0131]), the number of server modules to which said service is to be assigned ([0018]; [0175],

ln. 6-10), types of services to be executed ([0096]; [0121]) and server performance ([0121]),

said service including an operating system ([0096]; [0110], ln. 1-5; [0133]) and an application

program ([0015], ln. 1-5; [0021], ln. 8-12; [0048]; [0096], ln. 1-5; [0110], ln. 1-5; [0113], ln. 1-

6);

wherein each of said server modules comprises a configuration information transmission unit configured to transmit configuration information about each of the server modules to said storage module at the time of starting each of the server modules ([0132]; [0135] – [0136]); and

wherein said storage module is configured to compare the configuration information transmitted by said configuration information transmission units with the system configuration information retained by said system configuration information retention database ([0121]) and to assign a service included in the system configuration information to the at least one server module ([0112]; [0113], ln. 1-6; [0121]), to transmit data configured to execute the service included in the system configuration information ([0112]; [0113], ln. 1-6; [0121]), and to update the number of server modules to which said service is to be assigned ([0018]; [0112]; [0113], ln. 1-6; [0121]; [0175], ln. 6-10).

Wing is silent on give, in accordance with results of comparison, a host name, which is unique to the information processing system, to at least one server module from which the configuration information is transmitted.

However, Rune discloses give, in accordance with results of comparison, a host name, which is unique to the information processing system, to at least one server module from which the configuration information is transmitted (Abstract).

For clarification and the purposes of expedited prosecution, the examiner notes that

the language of the claim requires that the host name be unique only to the "information

processing system." The preamble of the claim states that the information processing system

comprises "a plurality of server modules." Therefore, the host name need be unique only to

the system as a whole and not necessarily for each server module.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the teachings of Wing in the aforementioned manner as taught by Rune

in order to identify a group of related servers with a common host name (thereby requiring a

client need only need know this host name to request a service) while allowing for a system

determination of a most desirable server within the group of servers (Rune: Abstract).

7.   As to claim 5, Wing and Rune disclose the invention substantially as in parent claim

1, wherein the configuration information transmitted by each configuration information

transmission unit includes a standardized CPU name (Rune: Abstract) and standardized CPU

performance information (Wing: [0121]);

wherein said storage module further comprises a conversion information retention

unit configured to retain conversion information necessary for conversion between server

module CPU performance information and standardized CPU performance information

required for running said service and a conversion unit configured to convert CPU

performance information included in each configuration information in accordance with said

conversion information (Wing: [0121]; Rune: Abstract); and

        wherein said storage module compares CPU performance information converted by

said conversion unit and corresponding information retained by said conversion information

retention unit (Wing: [0121]; Rune: Abstract).

8.   As to claim 6, Wing and Rune disclose the invention substantially as in parent claim

1, further comprising a logical partitioning means for logically partitioning a resource of said

server modules (Wing: [0017]; [0064]; [0133], ln. 7-11);

        wherein each configuration information includes information that indicates whether

each of the server modules can be logically partitioned (Wing: [0017]; [0064]; [0121]; [0133],

ln. 7-11); and

        wherein said storage module assigns the service included in said system configuration

information to each one of a plurality of logically partitioned units (Wing: [0017]; [0064];

[0112]; [0113], ln. 1-6; [0133], ln. 7-11).

9.   As to claims 7-9, 12, 18-20, and 25, the claims are rejected for reasons similar to claim

1 above.

10.   As to claim 16, the claim is rejected for reasons similar to claim 5 above.

11.   As to claim 17, the claim is rejected for reasons similar to claim 6 above.

12.   Claims 2-3, 10-11, 13-14, 21-22, and 24 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Wing and Rune as applied to claims 1, 5-9, 12, 16-20, and 25 above, and

further in view of Official Notice (See MPEP 2144.03).

13.   As to claim 2, Wing and Rune disclose the invention substantially as in parent claim

1, wherein each server module comprises an error reporting means for reporting a response

error (Wing: [0039]; [0106]; [0131], ln. 1-14; [0167]).

    Wing and Rune are silent on retransmitting data if the data transmission fails and

reporting a response error if a predetermined retransmission count is exceeded.

    However, Official Notice is taken that retransmitting data if data transmission failed

and reporting a response error if a predetermined retransmission count is exceeded was well

known in the art at the time of the invention. For example, it is known that a failed data

packet transmission may be repeated by the sender a set number of times in network

communications and, failing proper transmission, a response error will be reported to the

sender.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the teachings of Wing and Rune in the aforementioned manner as was

well known in the art at the time of the invention in order to attempt to retransmit a failed

data transmission, so the data will hopefully be received, and failing such, report an error so

that the sender knows transmission failed and may take any appropriate steps.

14.   As to claims 3, 10-11, 13-14, 21-22, and 24, the claims are rejected for reasons similar

to claim 2 above.

15.   Claims 4, 15, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Wing, Rune, and Official Notice as applied to claims 2-3, 10-11, 13-14, 21-22, and 24 above,

and further in view of Blumenau et al. (Blumenau), U.S. Patent No. 6,421,711 B1.

16.   As to claim 4, Wing, Rune, and Official Notice disclose the invention substantially as

in parent claim 3, but are silent on the storage module prompts a system administrator to

modify said system configuration information if said response error or said assignment error

is reported.

However, Blumenau discloses the storage module prompts a system administrator to

modify said system configuration information if said response error or said assignment error

is reported (Col. 20, ln. 60-65; Col. 34, ln. 60 – Col. 35, ln. 6).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the teachings of Wing, Rune, and Official Notice in the aforementioned

manner as taught by Blumenau in order to inform an administrator of errors so that the

administrator may decide whether any actions should be taken in response to the errors.

17.   As to claims 15 and 23, the claims are rejected for reasons similar to claim 4 above.

Conclusion

18.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. See the Notice of References Cited (PTO-892).

19.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to BRIAN P. WHIPPLE whose telephone number is (571)270-

1244. The examiner can normally be reached on Mon-Fri (11:30 AM to 6:00 PM EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Thu Nguyen can be reached on 571-272-6967. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status information

for unpublished applications is available through Private PAIR only. For more information

about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access

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571-272-1000.

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